

# Notice of Allowability

Application No.

09/883,190

Examiner

John P Trimmings

Applicant(s)

JAIN ET AL.

Art Unit

2133

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment of 7/29/2004.
2. ☒ The allowed claim(s) is/are 1-42.
3. ☒ The drawings filed on 10/27/03 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

*Guy J. Lamarre*  
Primary Examiner

### **DETAILED ACTION**

This office action is response to applicant's amendment filed 7/29/2004.

Claims 1, 14, 18, 28, 33, 37 and 42 have been amended.

Claims 1-42 are pending.

### ***Response to Amendment***

1. In view of the amendments to the claims, applicant's arguments, see amendment, filed 7/29/2004, with respect to Claims 1, 14, 18, 28, 33, 37 and 42 have been fully considered and are persuasive. The rejections of independent Claims 1, 14, 18, 28, 33, 37 and 42 has been withdrawn. Consequently, the examiner rejections of dependent Claims 2-13, 15-17, 19-27, 29-32, 34-36 and 38-41 are also withdrawn.

### ***Allowable Subject Matter***

2. Claims 1-42 are allowed. The following is an examiner's statement of reasons for allowance: The prior art of Organ, Deome, Sauer et al. and Grochowski et al. teaches a simulator, method and program based on an apparatus for testing an electronic device having digital, analog, and differential components, processing digital and analog responses, comparing the processed data to other data, and evaluating the data. However, the prior arts of record taken alone, or in combination failed to teach, anticipate, suggest, or render obvious the claimed apparatus or method or program/simulator of the application. Specifically, the prior arts failed to teach, anticipate, suggest, or render obvious comparing of the processed analog data with the

Art Unit: 2133

processed digital data. Consequently, independent Claims 1, 14, 18, 28, 33, 37 and 42 are allowed over the prior arts of record. Claims 2-13, 15-17, 19-27, 29-32, 34-36 and 38-41 are directly or indirectly dependent upon Claims 1, 14, 18, 28, 33, 37 and 42, and therefore are also allowable over the prior arts of record. In total, Claims 1-42 are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John P Trimmings whose telephone number is 703-305-0714. The examiner can normally be reached on Monday through Thursday, 7:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert DeCady can be reached on 703-305-9595. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

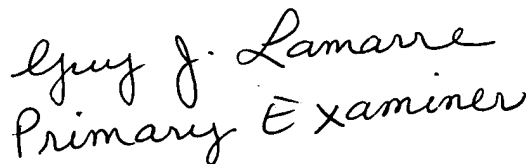
Art Unit: 2133

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



John P Trimmings  
Examiner  
Art Unit 2133

jpt



Primary Examiner